

A bill for the relief of Henry Berry.

" " " " Elijah Earle.

A bill to authorize and require the Commissioner of the General Land Office to issue to Alexander Lacy, assignee of David McIver, a patent for 640 acres.

A bill for the relief of C. W. Peterson.

" " " " Seth Hazil.

" " " " Swen Bergstrom.

On motion of Mr. McDade, Mr. Hill was excused from attendance during the balance of the session.

Mr. McCulloch called up a bill for the relief of the heirs of Wilson J. Riddle, deceased; read and ordered to be engrossed.

On motion of Mr. Taylor of Cass, the vote engrossing the bill was reconsidered.

Mr. Guinn moved to strike out "\$2,950,00" and insert "\$980,00"—lost.

On motion of Mr. Hill, the Senate adjourned till 8 o'clock A. M. to-morrow.

SATURDAY, August 23d, 1855.

The Senate was called to order by the President, pursuant to adjournment—prayer by the chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Flanagan, chairman of the Committee on Internal Improvements, made the following reports:

The Committee on Internal Improvements have had before them a bill to authorize certain counties, cities and towns to aid in the construction of railroads, by subscription to their stock, and to provide for the payment of the same. The Committee, after a mature deliberation, came to the conclusion that the policy contemplated is a wholesome one, particularly when it is taken into consideration that the citizens or voters of the various counties speak for themselves through the ballot-box, and it may be a means of substantially aiding in building roads through the different portions of the State at a much earlier period than otherwise. The Committee therefore recommend the passage of the bill.

The Committee on Internal Improvements, have examined a bill to authorize James H. Mathews to construct a dam across the Colorado River, and a majority of the members present propose to amend the bill so as to authorize the abate-

ment of said dam at any time, upon complaint of twelve freeholders and citizens of the county of Travis, by the County Court of Travis. They therefore recommend the adoption of the amendment, and the passage of the bill.

The Committee on Internal Improvements have considered a bill to incorporate the Nueces Bridge and Turnpike Company, and find no objection to the bill, and instruct me to return it to the Senate and recommend its passage.

Mr. Caldwell, chairman of the Committee on Public Buildings, made the following report :

The Committee on Public Buildings, to which was referred a bill appropriating the means necessary to improve the Capitol grounds, have had the same under consideration, and have authorized me to say that they highly approve of the suggestion that the forest trees on the Capitol grounds should remain undisturbed, but we do not believe it necessary to insert in the bill a provision to that effect, as we have every confidence in the discretion of the individuals to whom this duty is intrusted.

We cannot concur in the proposition of bringing the water to the city from some distant spring. The spring proposed, in the estimation of the Committee, could not be purchased for much less money than the amount appropriated, without the expense and cost of bringing it under ground several miles, besides water secured in this way would only be of advantage to the city—whereas a successful experiment to bring it from the bowels of the earth to the surface, would be worth thousands upon thousands to the citizens of the State. Large districts of rich and fertile lands, within the limits of our State, must ever remain uninhabited unless we can bring the living waters from unknown depths, in the earth. The enterprise is worthy the undertaking of the State. The Committee therefore recommend the passage of the bill unamended.

Mr. Whitaker, chairman of the Committee No. 2 on Private Land Claims, made the following report :

The Committee on Private Land Claims No. 2, to which were referred House bills for the relief of Joseph Henson, and J. B. Brownrigg, find that said Henson obtained his certificate for his league and labor, which was duly recommended, but that the certificate was not signed by the entire Board, and has since been mutilated, so that the Commissioner of the General Land Office refuses to patent. Also the evidence accompanying the bill for the relief of J. B. Brownrigg, shows

that his father emigrated to Texas in 1830, and that he arrived at the age of 17 years in the year 1840, and has resided in Texas continuously since the emigration of his father—and that it is a class of claims which has been favorably considered by the Legislature.

Mr. Guinn, chairman of the Committee on Engrossed Bills, reported correctly engrossed the following bills:

- A bill to change the boundary line of Erath county;
- “ for the relief of the heirs of John James, dec’d.;
- “ “ “ John G. Todd;
- “ to incorporate Concrete College; and
- “ to incorporate the Texas Iron, Steel and Copper Manufacturing, Mining and Trading Company.

A message was received from the Governor, transmitting the following communication:

EXECUTIVE OFFICE,
AUSTIN, Texas, 23d August, 1856.

*Gentlemen of the Senate
and House of Representatives:*

I have examined “An act to authorize the District Courts to issue land certificates in certain cases,” which originated in the Senate. The object of this act seems to be to authorize the District Courts to issue certificates for 320 acres of land, to young men residing in Texas, who became seventeen years of age between the 1st of January, 1840, and the 1st of January, 1842, in the same manner as they were granted under the former laws of the Republic to those of that age who emigrated to Texas between said years. I think the first named were equally as meritorious as the last, and should have been granted the same privileges. Yet I do not think the laws referred to in the preamble of this act gave any such right, though I am aware that it was the practice of many of the County Boards of Land Commissioners to grant such certificates to both of said classes of persons.

As there never has been any law of Texas which gave lands to the class of persons for whose relief this act was passed, if lands are now given to them it is a donation by the State, and can only be made by a vote of two-thirds of both Houses of the Legislature. This act does not appear to have passed either House by such a vote, and I cannot therefore approve it.

If a law granting 320 acres of land to each of the description of persons sought to be benefitted by this act, shall be

passed by a constitutional majority of both Houses, it will meet with no objection from me. I think, however, that the certificates should be issued only by the Commissioner of Claims. One of the main objects in establishing that office was to detect forged certificates, which purport to have been issued under the authority of the District Court, many of which were known to be in circulation, and if we now again open the District Courts for the issuance of certificates, we lay the foundation for a new batch of this class of forged certificates. The act is herewith returned for your reconsideration.

E. M. PEASE.

A message was received from the House, requesting the return to that body, from the Senate, of a bill reported on yesterday, to amend an act to perfect land titles in Castro's colony, approved Jan. 22d, 1850; a motion to reconsider the passage of the same having been made in the House.

On motion of Mr. Armstrong, the rule was suspended, the message taken up, and the request of the House acceded to by the Senate.

Mr. White introduced a bill supplemental to an act to incorporate the Aransas Road Company—read 1st time.

On motion of Mr. White, the rule was suspended, bill read 2d time, and ordered to be engrossed.

On motion of Mr. White, the rule was further suspended, bill read a 3d time, and passed by the following vote:

YEAS—Messrs. Armstrong, Bryan, Caldwell, Flanagan, Grimes, Guinn, McCulloch, McDade, Maverick, Millican, Palmer, Pedigo, Scarborough, Superviele, Taylor of Houston, Truit, Weatherford, Whitaker, and White—19.

NAYS—Messrs. Burroughs, Taylor of Fannin, and Wren—3.

Mr. Pedigo introduced a bill to incorporate the town of Madison, in Orange county—read 1st time.

On motion of Mr. Pedigo, the rule was suspended, bill read 2d time, and ordered to be engrossed.

On motion of Mr. Guinn, the rule was further suspended, bill read 3d time, and passed.

A message was received from the House, informing the Senate that the House had passed

A bill, originating in the House, to incorporate the Nueces and San Patricio Shell Road and Bridge Company; and a substitute entitled

A bill to organize the 17th, and re-organize the 2d Judicial

Districts, for a Senate's bill to create the 19th Judicial District and define the time of holding the District Courts therein.

Mr. Taylor of Cass, introduced a bill authorizing a sale of a portion of the United States bonds now in the Treasury of the State—read 1st time.

On motion of Mr. Taylor of Cass, the rule was suspended, bill read 2d time, and ordered to be engrossed.

Rule further suspended, bill read 3d time, and passed.

ORDERS OF THE DAY.

A bill for the relief of the heirs of Wilson J. Riddle, deceased, under consideration when the Senate adjourned on yesterday, was taken up, and rejected by the following vote:

YEAS—Messrs. Bryan, Flanagan, Hord, McCulloch, McDade, Maverick, Palmer, Pedigo, Scarborough, Superviele, and White—11.

NAYS—Messrs. Armstrong, Burroughs, Grimes, Guinn, Martin, Millican, Pirkey, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Truit, Weatherford, and Whitaker—13.

Mr. Martin introduced a bill supplementary to, and amending an act for the relief of the citizens of Mercer's colony—read 1st time.

Rule suspended, bill read 2d time.

Mr. Guinn moved to amend by adding "Provided, that in all cases the applicant shall be required to prove by 2 witnesses that they lived in the colony 3 years."

On motion of Mr. Martin, laid on the table.

The bill was then ordered to be engrossed.

Rule further suspended, bill read 3d time, and passed.

On motion of Mr. Millican, the report of the Select Committee on the propriety of republishing evidence in reference to certain land titles, was taken up, and read.

On motion of Mr. Caldwell, the report was laid on the table till Monday next, the 25th inst.

Mr. Guinn, chairman of the Committee on Engrossed Bills, reported a bill to incorporate the town of Madison, in the county of Orange, correctly engrossed.

Mr. Hord moved a reconsideration of the vote taken on yesterday, passing a bill for the relief of the heirs of John James, deceased.

The bill having been reported to the House as passed,

On motion of Mr. Hord, the Secretary was instructed to ask the withdrawal of the same from the House.

The bill having been returned to the Senate, the motion to reconsider prevailed.

On motion of Mr. Hord, the bill was amended by striking out all relating to a headright certificate, and the bill passed.

Mr. McDade called up a bill for the relief of Fenton M. Gibson—read.

Mr. Millican offered the following amendment:

Be it further enacted, That the Comptroller of the State of Texas be, and he is hereby authorized and directed to draw his warrant in favor of William Oldham, for the pay to which he is entitled as Pay-Master in Col. Cooke's Regiment, in the Sommerville Campaign, in the years 1842 '43, deducting the amount already received by him as a private in said campaign, and that the Treasurer of the State is authorized and directed to pay the same out of any moneys in the Treasury, not otherwise appropriated."

Adopted.

On motion of Mr. Armstrong, the caption was amended by adding "and William Oldham."

The bill was then passed to 3d reading.

Rule suspended, bill read 3d time, and passed.

Mr. Taylor of Houston, from the Committee on Engrossed Bills, reported

A bill supplementary to, and amending an act for the relief of the citizens of Mercer's colony, correctly engrossed.

Mr. Maverick called up a bill for the relief of Pedro Villa—read, and ordered to be engrossed.

Rule suspended, bill read 3d time, and passed.

A message was received from the House, informing the Senate of the passage of the following bills, originating in that body:

A bill to incorporate the Mantua Institute;

" to incorporate Jamestown Academy;

" to incorporate the San Antonio Gas Company;

" to amend an act to change the 6th and 9th Judicial Districts of the State of Texas, and to define the time of holding the Courts therein;

A bill requiring the Judges of the several Judicial Districts hereinafter named, to alternate holding the sessions of the District Courts.

A bill amending and supplementary to an act amending and supplementary to an act amending and supplementary to an

act to incorporate the Henderson and Burkeville R. R. Company, passed by a constitutional majority, Jan. 24, 1856.

Mr. Palmer introduced a bill to establish a State University—read 1st time.

Rule suspended, and bill read 2d time.

Mr. Armstrong moved to refer the bill to the Committee on Education—lost.

Mr. Flanagan moved to amend by striking out "suitable place" and inserting "Tyhuacana Springs,"—lost.

Mr. Caldwell moved to strike out "Brazos" and insert "Colorado."

On motion of Mr. Taylor of Cass, the previous question was ordered.

The bill was then ordered to be engrossed.

Rule suspended, bill read 3d time, and passed.

Mr. Pedigo called up a bill for the relief of Nathaniel Prescott, R. S. Wheat, L. G. McGaughey—read, and passed to 3d reading.

Rule suspended, bill read 3d time, and passed.

Mr. Pirkey called up a bill requiring the Judges of the several Judicial Districts to alternate holding the District Courts—read 1st time.

Rule suspended, bill read 2d time, and made special order Monday morning, 9 o'clock.

On motion of Mr. Palmer, Mr. Potter was excused from attendance for the balance of the session.

On motion of Mr. Taylor of Cass, Mr. Pirkey was excused from attendance for the balance of the session.

Mr. Whitaker called up (for Mr. Potter) a bill for the relief of Ann C. Harrison—read, and rejected.

Mr. Grimes called up a bill to improve the Capitol grounds—read.

On motion of Mr. Taylor of Cass, the Senate adjourned till 4½ o'clock, P. M.

4½ O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill to improve the Capitol grounds, being under consideration when the Senate adjourned, was taken up, and read.

Mr. Taylor of Cass, moved to strike out all having reference to an Artesian well—lost.

Mr. Guinn moved to amend by adding:

"Provided, that not more than \$3,000 shall be drawn under

the provisions of this bill, until the contractor shall have obtained a good fountain of water."

Mr. Palmer moved to amend by striking out "\$3,000" and inserting "\$5,000."

Mr. Flanagan moved to lay the amendment and the amendment to the amendment on the table.

Carried by the following vote :

YEAS—Messrs. Bryan, Caldwell, Flanagan, Hill, Hord, McCulloch, McDade, Maverick, Scarborough, Superviele, Taylor of Houston, Truit, Whitaker, and White—14.

NAYS—Messrs. Burroughs, Grimes, Guinn, Martin, Millican, Palmer, Pirkey, Taylor of Cass, Weatherford, and Wren—10.

The bill was then passed to 3d reading.

Rule suspended, bill read 3d time, and passed by the following vote :

YEAS—Messrs. Bryan, Caldwell, Flanagan, Grimes, Hill, Hord, McCulloch, McDade, Maverick, Palmer, Scarborough, Superviele, Taylor of Houston, Truit, Whitaker, and White—16.

NAYS—Messrs. Burroughs, Guinn, Martin, Millican, Pirkey, Taylor of Cass, Weatherford, and Wren—8.

A message was received from the House, informing the Senate that the House had passed the following bills, originating in the Senate :

A bill to incorporate the town of Madison, in Orange county ; and

A bill supplementary to the act of March 13th, 1848, entitled An act better defining the marital rights of parties, with amendments.

Also, that the House had concurred in the amendments of the Senate to

A bill for the relief of certain persons therein named ; and

A bill for the relief of F. M. Gibson.

On motion of Mr. Millican, the vote passing a bill for the relief of Pedro Villa, was reconsidered, and

On motion of Mr. Taylor of Cass, the bill was laid on the table till Monday next, the 25th inst.

Mr. Taylor of Cass, from the Committee on Enrolled Bills, reported the following bills correctly enrolled, properly signed, and this day presented to the Governor :

A bill to incorporate the town of Waco ;

" " " Margaret Houston Female College ;

A bill to incorporate the San Antonio River Navigation Co.;
 " for the relief of John P. Shelburne;
 " " " certain pre-emption settlers within
 Houston Land District;

A bill for the relief of John Martin;
 " " " Eli Mitchell;
 (" " " Willis Collins, Thomas Hughes, J.)
 N. Curry, and Rufus K. Hosmer;

A bill for the relief of Solomon Wideman;
 " " " certain persons therein named;
 " " " George Grounds;
 " " " heirs of Robert F. Millard, and the
 widow and heirs of Sam'l P. Carson, deceased;

A bill for the relief of Giles S. Boggess;
 " " " Patsey Kitchens, Eliz. Smith, and
 Francis L. Blanton;

A bill for the relief of Susan Sallee;
 " " " Joseph Morrison;
 " " " Schuyler B. Skidmore;
 " " " Patrick O'Donnell;
 " " " heirs of Mary Hamilton, deceased;
 " " " heirs of Edward F. Stansbury, dec'd.;
 " " " H. P. Dewitt, Josiah W. Dewitt, and
 the heirs and legal representatives of Thomas P. Fowl.

A bill for the relief of Martin Murcheson;
 " " " Robt. McWilliams;
 " " " John A. Robb;
 " " " Thomas Beatty;
 " " " the heirs of Wm. P. King, dec'd.;
 " concerning the school fund of Navarro county;
 " to amend an act to incorporate the Chapel Hill Male
 and Female Institute, approved Feb. 9th, 1852;

A bill to amend an act to change the 6th and 9th Judicial
 Districts of the State of Texas, and to define the times of
 holding Courts therein;

A bill granting to Jeremiah H. Holford the privilege of con-
 structing a toll bridge across the East Fork of the Trinity
 River, at the place known as Halford's Spanish Oak Ridge, in
 Dallas county;

A bill to permit the county of Brazoria to levy a special tax
 for the purposes of Internal Improvement; and

A bill attaching a portion of Falls county, including Elm
 Creek, to Bell county.

Mr. Superviele called up a bill for the relief of J. B. Brown—read 2d time, and passed to 3d reading.

Rule suspended, bill read 3d time, and passed.

Mr. Taylor of Houston, called up a bill for the relief of John B. Gaines—read 1st time.

Rule suspended, bill read 2d time, and passed to 3d reading.

Rule suspended, bill read 3d time, and passed.

Mr. Taylor of Houston, from the Committee on Engrossed Bills, reported the following bills correctly engrossed:

A bill for the relief of Pedro Villa; and

“ “ “ the heirs of John James, dec'd.

Mr. Taylor of Cass, called up a bill to authorize the County Court of Rusk county to grant letters of administration on the estate of Bolling Hall, dec'd., late of Cherokee county—read 1st time.

Rule suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed.

Mr. Truit called up a bill for the relief of Joseph Henson—read 2d time, and passed to 3d reading.

Rule suspended, bill read 3d time, and passed.

Mr. Weatherford called up a bill to establish an institution for the Deaf and Dumb—read 1st time.

Rule suspended, bill read 2d time, and passed to 3d reading.

Rule further suspended, bill read 3d time, and passed.

On motion of Mr. Weatherford, the vote making the veto message of the Governor on “A bill authorizing the District Courts to issue land certificates in certain cases,” special order for Monday next, was reconsidered, and the bill rejected by the following vote:

YEAS—Messrs. McCulloch, McDade, Martin, Maverick, Palmer, Pirkey, Scarborough, Taylor of Cass, Taylor of Houston, Truit, Weatherford, Whitaker, and Wren—14.

NAYS—Messrs. Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, Millican, and White—8.

Two-thirds being necessary to pass the bill.

On motion of Mr. Palmer, a bill supplementary to an act of March 13th, 1848, entitled an act better defining the marital rights of parties, with amendments by the House, was taken up, and the amendments concurred in.

On motion of Mr. Hill, a bill to authorize certain counties, cities and towns to aid in the construction of railroads by subscription to their stock, &c., was taken up and made special order for Tuesday, the 26th inst., at 10 o'clock A. M.

A message was received from the House, informing the Senate that the House had passed the following bills, originating in the Senate, with amendments :

A bill granting certain real estate to the city of Austin ;

A bill to change the time of the sitting of the Supreme Court ; and

A bill for the relief of Milly Berry.

On motion of Mr. Caldwell, the bill granting certain real estate to the city of Austin, was taken up, read, and the amendments of the House concurred in.

On motion of Mr. Guinn, the bill to change the time of the sitting of the Supreme Court was taken up, and the amendments of the House concurred in.

The Senate also concurred in the amendments of the House to a bill for the relief of Milly Berry.

On motion of Mr. Burroughs, the Senate adjourned till Monday morning, at 8 o'clock.

MONDAY, Aug. 25th, 1856.

The Senate was called to order by the President, pursuant to adjournment—roll called—quorum present.

The Journal of Saturday was read and adopted.

Mr. Pedigo presented the memorial of T. J. Chambers—read and referred to the committee on Internal Improvements.

Mr. Hill, chairman of the committee on Claims and Accounts, to which was referred A bill for the relief of A. Houston, reported the same back and recommended its passage.

Mr. Hill, from the committee on Internal Improvements, to which was referred A bill to establish a Mutual Insurance company, to be located in Washington county ; reported the same back and recommended its passage.

On motion of Mr. McDade, the rule was suspended, bill taken up, read 2d time, and ordered to be engrossed.

Rule further suspended, bill read 3d time and passed by the following vote :

YEAS—Messrs. Allen, Armstrong, Bryan, Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, McCulloch, McDade, Maverick, Millican, Palmer, Pedigo, Pirkey, Scarborough, Superviele, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Truit, Weatherford, Whitaker and White—25.

NAYS—None.

On motion of Mr. Palmer, A bill amending and sup